

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 5/20/11

FISHER SIGERSON MORRISON LLC,

Plaintiff,

- against -

KARI SIGERSON and MIRANDA MORRISON,

Defendants.

11-cv-3440 (CM)

**ORDER TO**  
**SHOW CAUSE FOR**  
**TEMPORARY**  
**RESTRAINING ORDER AND**  
**PRELIMINARY**  
**INJUNCTION**

Upon the affidavit of Effie Petropoulos, sworn to May 19, 2011 and the exhibits annexed thereto, the affirmation of Jonathan E. Minsker, dated May 19, 2011 and the exhibits annexed thereto, the supplemental affirmation of Jonathan E. Minsker, dated May 20, 2011, and upon the accompanying Summons and Complaint, dated May 19, 2011, and the Memorandum of Law, dated May 19, 2011 it is hereby:

ORDERED, that the above-named defendants, Kari Sigerson and Miranda Morrison, shall show cause before the Honorable *P. Kevin Castel* *12C* ~~Colleen McMahon~~ at Room \_\_\_\_ of the United States Courthouse, 500 Pearl Street, New York, New York on May *31*, 2011, at *2:30* o'clock in the *afternoon* thereof, or as soon thereafter as counsel may be heard, why an order should not be issued and entered, pursuant to Rule 65 of Federal Rules of Civil Procedure:

(i) preliminarily enjoining and restraining defendants, their agents, employees and all persons acting in concert with defendants, from taking any action to promote, publicize or conduct the sale of SIGERSON MORRISON brand merchandise that Defendants have scheduled

for May 20, 2011 through May 22, 2011 at the Steven Sclaroff store, located at 44 White Street, New York, New York not authorized by plaintiff (the "Unauthorized Sale");

(ii) directing defendants to inform Steven Sclaroff and all public relations firms, internet sites and media outlets that have reported the Unauthorized Sale that plaintiff is the sole and exclusive owner of the SIGERSON MORRISON mark, that the Unauthorized Sale was not authorized by the plaintiff, and that the Unauthorized Sale has been cancelled;

(iii) enjoining and restraining defendants, their agents, employees and all persons acting in concert with defendants, from taking any action to schedule, promote, publicize or conduct any sale similar to the Unauthorized Sale and from using the SIGERSON MORRISON trademark or trade name, or any derivative thereof, in connection with any products or services that might cause confusion with the products and services offered by plaintiff, including, but not limited to, the sale of leather goods, namely shoes, boots and handbags; and

(iv) for such other relief as this Court deems just and proper.

IT IS FURTHER ORDERED that, pursuant to Rule 65, pending the hearing and determination of plaintiff's motion for preliminary injunctive relief, defendants, their agents, employees and all persons acting in concert with defendants, are hereby restrained and enjoined from taking any action to promote, publicize or conduct the Unauthorized Sale ~~or any similar sale~~ including, but not limited to, using the SIGERSON MORRISON trademark or trade name, or any derivative thereof, in connection with any products or services that might cause confusion with the products and services offered by plaintiff, including, but not limited to, the sale leather goods, namely shoes, boots and handbags,

IT IS FURTHER ORDERED, that service of a copy of this Order to Show Cause,

together with all of the supporting papers upon which it is based, as well as the Summons and

order as Exhibit 2 in <sup>the</sup> prominent locations, and, on May 21 and May 22 (and as soon as possible on May 20 after 1pm) have prepared, and HAND TO EACH CUSTOMER,

AND IT IS FURTHER ORDERED that at the close of the sale on May 22 no further sale by the defendant may take place pending a hearing on this motion and

defendants  
are  
merchandise  
bearing the  
"SIGERSON  
MORRISON"  
trademark

a sign  
and containing  
the same information  
as is seen on the ex. 2  
signs.

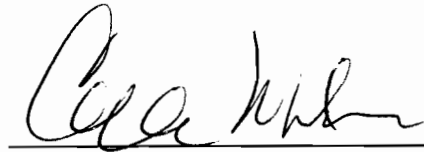
attached  
to the

Complaint herein, be made upon defendants or their counsel by electronic mail, hand delivery or overnight delivery, on or before the 20 day of May, 2011, which shall be deemed good and sufficient service thereof; and

IT IS FURTHER ORDERED that answering papers, if any, shall be served upon plaintiff's attorneys Kasowitz, Benson, Torres & Friedman LLP, 1633 Broadway, New York, New York 10019, by electronic mail, hand delivery or overnight delivery on or before the 25 day of May, 2011, <sup>5pm</sup> which shall be deemed good and sufficient service thereof.

IT IS FURTHER ORDERED that reply papers, if any, shall be served upon defendants or their counsel by electronic mail, hand delivery or overnight delivery, on or before the 24 day of May, 2011, <sup>3pm</sup> which shall be deemed good and sufficient service thereof.

DATED: New York, New York  
May 20 2011

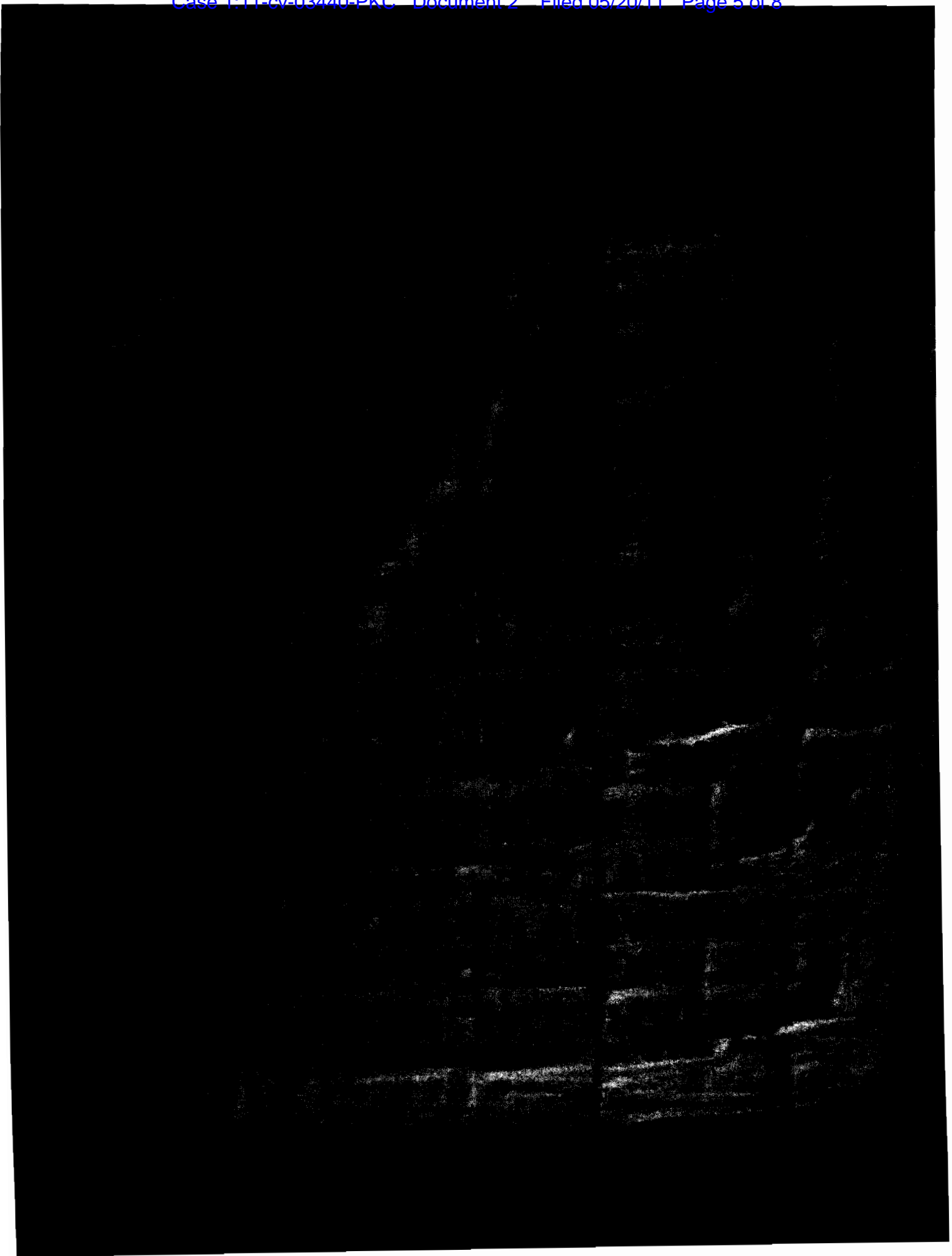
  
Honorable Colleen McMahon  
United States District Judge

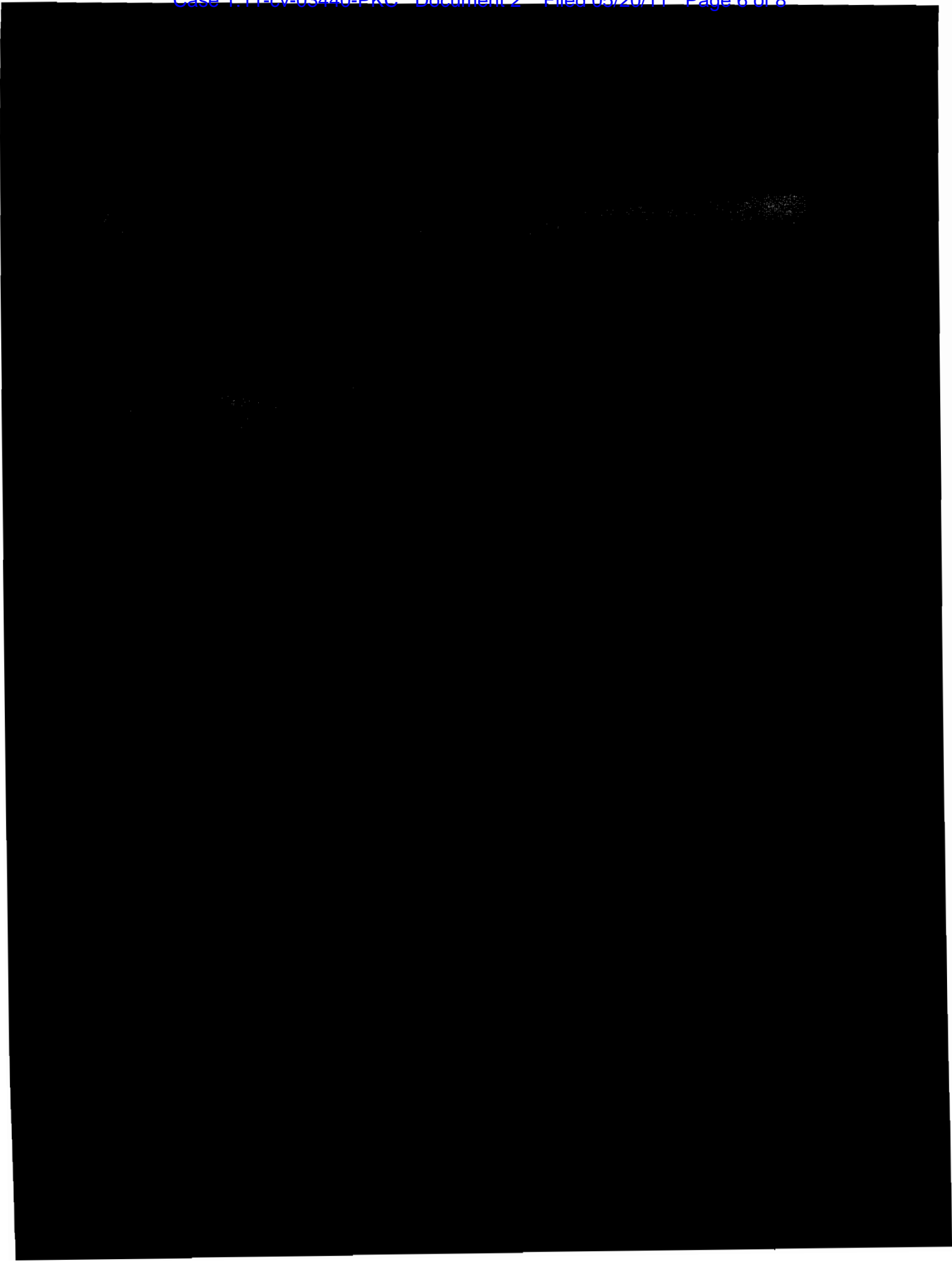
COINTEGRATION COPIES TO CHAMBERS AT THE  
SAME  
TIME

As of 12:58 pm on 5/20/2011, the  
Court's prior order (temporarily halting  
the sale is vacated,

THIS SALE IS NOT A MAILED ORDER  
BY SIGERSON MORRISON.  
THE SIGERSON MORRISON  
COMPANY IS NOT GOING  
OUT OF BUSINESS  
AND IS NOT CLOSING  
STORES EXCEPT FOR THE THE  
LABORATORY BOUTIQUE  
WHICH IS WHERE THESE SHOES ARE FROM.  
THE BRAND 'SIGERSON MORRISON'  
IS NOT BEING DISCONTINUED  
BY SIGERSON MORRISON.

EXHIBIT B





Kari Sigerson and Miranda Morrison wish to clarify that the sale they have publicized for Friday, May 20, 2011 through Sunday, May 22, 2011 at Steven Sclaroff's store, located at 44 White Street, New York, New York, is not authorized by or affiliated with the SIGERSON MORRISON brand or its owner. Ms. Sigerson and Ms. Morrison (although they are still part owners of the company) are no longer affiliated with SIGERSON MORRISON and do not own or have any direct interest in the SIGERSON MORRISON trademark or SIGERSON MORRISON is not going out trade name, which they sold in 2006. SIGERSON MORRISON is not going to sell of business and continues to sell SIGERSON MORRISON branded products.

SPEAKER SYSTEM  
LOCATED SUB-BASEMENT  
BASEMENT SPOT  
FIRST FLOOR SPOT



M  
S  
F

9.5

Mr. Sogerson and Miranda Morrison wish to clarify that the sale they have published for Friday, May 20, 2011 through Sunday, May 22, 2011 at Susan Schmidt's store, located at 44 Union Street, New York, New York, is not authorized by or affiliated with the SKEESON MORGESON brand or its owners. Mr. Sogerson and Mrs. Morrison are still part owners of the brand and they are no longer affiliated with the brand. They are no longer affiliated with the brand and do not have any direct interest in the brand. The brand was sold in 2006. The brand was sold in 2006. The brand was sold in 2006.